



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

HOUSE STANDING COMMITTEE ON JUDICIARY

Tuesday, June 6th, 2017 12:00 p.m. Room 326 House Office Building

Representative Runestad, Chair, called the meeting to order.

Chair Runestad requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Absent: None.

Excused: None.

Representative LaFave moved to approve the minutes of the May 30th, 2017 meeting. The motion prevailed by unanimous consent.

The Chair laid SB 223 before the committee:

SB 223 (Jones) Law enforcement; records; maintain record for separation of employment; require, and establish that agency is immune from civil liability.

Matt Sowash, representing the Police Officers Association of Michigan, submitted a testimony card in opposition to the bill, but did not wish to speak.

Megan Noland, representing the Oakland County Sheriff's Office, submitted a testimony card in support of the bill, but did not wish to speak.

Representative Howrylak moved to report SB 223, with recommendation. The motion prevailed by a vote of 9-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: None.

Pass: Rep. Robinson.

The Chair laid SB 219 before the committee:

SB 219 (Green) Weapons; licensing; application process for licensing; modify.

Representative Cole offered the following amendment for SB 219:

1. Amend page 58, following line 22, by inserting:
"Enacting section 2. This amendatory act takes effect 90 days after the date it is enacted into law."

Representative Cole moved to adopt the amendment for SB 219. The motion prevailed by a vote of 9-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: None.

Pass: Rep. Robinson.

Representative Greimel offered the following amendment for SB 219:

1. Amend page 58, line 21, by striking out all of enacting section 1 and inserting "Enacting section 1. Section 421 of the Michigan penal code, 1931 PA 328, MCL 750.421, is repealed."

Representative Greimel explained his amendment. Questions and discussion followed.

Representative Greimel moved to adopt the amendment for SB 219. The motion prevailed by a vote of 7-3-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Howrylak, Cole, Greimel, Robinson, Guerra, and Sowerby.

Nays: Reps. Theis, Hornberger, and LaFave.

Pass: None.

Representative Cole offered the following amendment for SB 219:

1. Amend page 12, line 13, after "**oath.**" by striking out the balance of the line through "**period.**" on line 15.

Representative Cole moved to adopt the amendment for SB 219. The motion prevailed by a vote of 9-1-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: Rep. Robinson.

Pass: None.

Representative Cole moved to report SB 219, with recommendation, as amended, as substituted. The motion prevailed by a vote of 9-1-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: Rep. Robinson.

Pass: None.

The Chair laid HB 4691 before the committee:

HB 4691 (Runestad) Family law; child custody; joint custody in every custody dispute between parents; mandate except in certain circumstances.

David Helm testified in support of the bill. Questions and discussion followed.

The Chair laid the committee at ease, the time being 1:00 p.m.

The Chair called the committee to order, the time being 4:35 p.m.

Representative Cole moved to reconsider the vote by which SB 219 was reported, with recommendation, as amended, as substituted. The motion prevailed by a vote of 9-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: None.

Pass: None.

Representative Cole moved to withdraw his motion to report SB 219, with recommendation, as amended, as substituted. There being no objection, the motion prevailed by unanimous consent.

Representative Cole moved to adopt substitute (H-1) for SB 219. The motion prevailed by a vote of 8-0-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: None.

Pass: Rep. Howrylak.

The Chair laid the committee at ease, the time being 4:37 p.m.

The Chair called the committee to order, the time being 4:38 p.m.

Representative Cole moved to report SB 219, with recommendation, as substitute (H-1). The motion prevailed by a vote of 9-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and

Sowerby.

Nays: None.

Pass: None.

The Chair laid HB 4312 before the committee:

HB 4312 (LaFave) Occupations; attorneys; eligibility requirements for attorney licensed in another state to practice law in Michigan; modify.

Representative LaFave offered the following amendment for HB 4312:

1. Amend page 5, following line 12, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law."

Representative LaFave moved to adopt the amendment for HB 4312. The motion prevailed by a vote of 7-2-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, and Greimel.

Nays: Reps. Guerra, and Sowerby.

Pass: None.

Representative Guerra offered the following amendment for HB 4312:

1. Amend page 3, following line 16, by inserting:

"(F) IF HE OR SHE IS A GRADUATE OF A LAW SCHOOL THAT WAS NOT APPROVED AND ACCREDITED BY THE COUNCIL AND ACCREDITATION COMMITTEE OF THE SECTION OF LEGAL EDUCATION AND ADMISSIONS OF THE AMERICAN BAR ASSOCIATION AT THE TIME HE OR SHE GRADUATED, HE OR SHE SUCCESSFULLY COMPLETED 1 OF THE FOLLOWING:

(i) A COURSE IN PROFESSIONAL RESPONSIBILITY WHILE ATTENDING LAW SCHOOL.

(ii) A CLASS IN PROFESSIONAL RESPONSIBILITY AFTER GRADUATING FROM LAW SCHOOL THAT IS COMPARABLE TO A COURSE DESCRIBED IN SUBPARAGRAPH (i) AND IS APPROVED BY THE BOARD OF LAW EXAMINERS."

Representative Guerra explained the amendment.

Representative Guerra moved to adopt the amendment. The motion did not prevail by a vote of 3-6-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Greimel, Guerra, and Sowerby.

Nays: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, and LaFave.

Pass: None.

The following people submitted testimony cards in opposition to the bill, but did not wish to speak:

Maribeth Preston, representing the Board of Law Examiners.
Tom Clement, representing the State Court Administrative Office.

Representative LaFave moved to report HB 4312, with recommendation, as amended, as substitute (H-1). The motion prevailed by a vote of 6-2-1.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Howrylak, Cole, Hornberger, LaFave, and Greimel.

Nays: Reps. Guerra and Sowerby.

Pass: Rep. Theis.

The committee returned to consideration of HB 4691.

The following people submitted testimony cards in support of the bill, but did not wish to speak:

Jared Rodriguez, representing 21st Century Families.
Keith Hollander, representing the Christian Coalition.
Bret Jackson, representing himself.
Cary and Sara Flagg, representing the Michigan Chapter of Family Civil Liberties Union.

The following people submitted testimony cards in opposition to the bill, but did not wish to speak:

Bobette Shrandt, representing LACASA of Livingston County.
Stephanie Johnson, representing Michigan Probate Judges Association.
Erica Schmittiel, representing Capitol Area Domestic and Sexual Violence Coordinating Council.
Allen Wachendorfer, representing the National Association of Social Workers, Michigan.
Debi Cain, representing Michigan Domestic and Sexual Violence Prevention and Treatment Board.
Mary Pollock, representing the American Association of University Women.

Linda Wright, representing herself, testified in support of the bill.

Doug Dosson and Robert Treat, representing the Family Law Section of the State Bar of Michigan, testified in opposition to the bills. Questions and discussion followed.

Bobbie Walton, representing the National Organization for Women, testified in opposition to the bill.

Michael Riepen, representing himself, and his children, testified in support of the bill.

Rebecca Shiemke, representing the Michigan Poverty Law Program-Family Law Task Force,

testified in opposition to the bill. Questions and discussion followed.

Dave Helm, testified in support of the bill. Questions and discussion followed.

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence, testified in opposition to the bill. Questions and discussion followed.

Robert Kurr submitted a testimony card wishing to speak in support of the bill, but was unable to.

Deb Lasky, representing herself, testified with a neutral position on the bill.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 6:20 p.m.

Representative Runestad, Chair

Matthew Carnagie
Committee Clerk
June 6th, 2017

Date Approved and Signed